

SPONSOR: Jack Uylacki
2nd District Councilman

ORDINANCE NO. 9242

AN ORDINANCE AMENDING ORDINANCE 6049, 7472, 8620, 8638, 8669, 9181, 4611, 7593, 7931, 8537, 4977, 7931, 5000, ALSO KNOWN AS SECTION 37.020, 37.025, 37.027 AND 37.028 OF THE HAMMOND MUNICIPAL CODE AS IT PERTAINS TO EMPLOYMENT POLICIES FOR HAMMOND FIRE FIGHTERS (as amended)

WHEREAS, Chapter 37 of the Hammond Municipal Code establishes employment policies and lists benefits for City of Hammond Employees not covered by a collective bargaining agreement; and

WHEREAS, vacation benefits, holidays and sick pay are found in Chapter 37 of the Hammond Municipal Code, and Section 37.020 of that Chapter, incorporates the Hammond Personnel Policy Manual by reference; and

WHEREAS, The Hammond Common Council now wishes to include all employment policies and benefits for Hammond Fire Fighters into Chapter 37, and by reference, into the Hammond Personnel Policy Manual with that department to be operated in accordance with these policies and rescinding all prior and contrary polices; and

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Common Council of the City of Hammond that Ordinance 6049, 7472, 8620, 8638, 8669, 9181, 4611, 7593, 7931, 8537, 4977, 7931, 5000, also known as Sections 37.020, 37.025, 37.027 and 37.028 of the Hammond Municipal Code, being the Personnel Policy Manual be Amended to include the following language which shall control for that department:

Personnel Policy Manual Firefighter Benefits:

Funeral Leave

A. Employees shall be relieved of duty for a period beginning from the

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time of death and to continue through one (1) tour (maximum three (3) tours) of his or her duty after entombment, in the event of the death of an immediate family member.

Immediate family members are agreed to consist of: spouse, child, mother, father, brother, sister, mother-in-law, father-in-law, grandchildren, and stepchildren living with the employee. There shall be no loss of pay to the employee during funeral leave, nor shall he/she be asked to repay any time to the city in exchange of the granted time off.

B. Employees shall be relieved of duty for one (1) tour of his or her duty (24 hours) upon the death of the following: grandparent, spouses grandparent, brother-in-law, sister-in-law, step-parent, and step-child not living with the employee. The employee may utilize the granted time off at his discretion to attend the wake or funeral, and he shall notify the Fire Chief when he will be utilizing the desired day off duty.

Terminal Leave

The Employer agrees to grant upon retirement notification only to those firefighters who entered the DROP program in 2013, and commenced actual retirement in 2014 or after, twenty (20) tours of duty leave at the rate of the employee's regular compensation. A tour of duty for the purpose of terminal leave shall be defined as twenty-four (24) hours for all employees. Terminal leave shall not increase the financial obligation of the Employer in the form of acting pay to another employee. Terminal Leave will no longer be offered to those firefighters who did not enter the DROP program in 2013. Terminal leave is not offered in 2014 or subsequent years.

Upon the death of an active member, who has completed twenty (20) years of service, but has not yet retired, terminal leave payment will be made to the surviving spouse.

Vacations

A. Eligibility

Employees shall begin to earn their vacation allowance as of their date of hire. Insurance coverage shall commence as of their date of hire.

B. Duration

Eligible employees shall be granted an annual paid vacation as follows:

1. Platoon employees - ten (10) duty days.
2. 40- hour employees - Equivalent to above in calendar days as one (1) equals three (3).
3. Upon completion of eight (8) years of service: An additional four (4) duty days.

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(If the employee's anniversary date falls before May 1st of that year, he shall receive four days. If the anniversary date falls after May 1st, the vacation shall be prorated as stated in the rules and regulations.)

4. Upon completion of fourteen (14) years of service an employee is entitled to an additional two (2) duty days off.

C. Allowance

Members hired after December 31, 1989 shall be granted annual vacation and reduction days based on the following schedule:

- 1 year of service - Three - 4-day picks (Twelve days total)
- 2 years of service - Three - 4-day and One - 1-day (Thirteen days total)
- 3 years of service - Three - 4-day and One - 2-day (Fourteen days total)
- 4 years of service - Three - 4-day and One - 3-day (Fifteen days total)
- 5 years of service - Four - 4-day picks (Sixteen days total)
- 6 years of service - Four - 4-day picks (Sixteen days total)
- 7 years of service - Four - 4-day picks (Sixteen days total)
- 8 years of service - Five - 4-day picks (Twenty days total)
- 14 years of service - Five - 4-day picks and one 2-day pick (Twenty-two days total)

Employees completing their first year of service during the year shall have their vacation prorated by earning one (1) day vacation for every two (2) months worked. Employees whose scheduled vacation day occurs on a Holiday, receives Holiday pay as set out below in lieu of additional vacation time.

List of Holidays

The following, or their agreed substitutions, shall be designated as paid Holidays for purposes of holiday pay, Saturday and Sundays do not constitute time in which overtime or holiday pay shall be paid unless a Holiday falls on that Saturday/Sunday:

- | | |
|----------------------|----------------|
| New Year's Day | Columbus Day |
| M.L. King's Birthday | Veteran's Day |
| President's Day | Thanksgiving |
| Easter Sunday | Christmas Eve |
| Memorial Day | Christmas Day |
| Independence Day | New Year's Eve |
| Labor Day | |

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Holiday Overtime Pay: No additional compensation shall be given for working Saturday or Sunday. Firefighters working any scheduled holiday shall be paid at the rate of one and a half times (1 ½) his/her normal salary.

Conditions

- A. Any member off duty on paid sick leave shall not be entitled to holiday pay.**
- B. Any member off duty on bereavement leave shall not be entitled to holiday pay.**
- C. Any member whose normal duty day falls on a scheduled holiday but is on vacation shall be entitled to holiday pay at the rate of one hundred dollars (\$100.00) for working 16 hours of a holiday and fifty dollars (\$50.00) for working 8 hours of a holiday worked.**

Residency Bonus

A) The City shall pay a residency bonus in the amount of \$6000.00 annually in equal monthly installments to each firefighter who is an actual City of Hammond resident. Falsification of residency documentation is grounds for discipline. Eligibility for the bonus plan is available only to active duty firefighters who are current Hammond residents, or to those who become residents of the City. Employees who move into the City during the course of any calendar year, shall be eligible for a pro-rated portion of the bonus based upon the number of full months in which they reside in the City. The same Residency Bonus shall apply to firefighters who reside in a rental property in Hammond and do not own their own homes within the City.

B) Residency shall be defined as firefighters who reside within the corporate City limits of Hammond and who either own his/her own home (owner-occupied) as evidenced by a current homestead exemption filed with the Auditor of Lake County, Indiana or who reside in a rental property in Hammond (and do not own their own home within the City). In regard to those firefighters who reside in a rental property in Hammond and have done so for a minimum of 24 (twenty-four) consecutive months, will have their entitlement to the Residency Bonus determined by the Fire Chief who will determine eligibility on a case by case basis. The decision of the Chief shall be final and not grievable.

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Certification Pay

The Employer agrees that the purpose of certification pay is to reward members for showing initiative and increasing professional skills as members of the Department. It is not to be utilized as a means of granting pay increases while maintaining the "status quo" of the base salary of the Firefighter.

Rate of Pay

All members shall receive extra supplemental dollars per month for holding any of the following certifications:

1. EMERGENCY MEDICAL TECHNICIAN \$10.00 per month
2. Fire Officer I (MASTER FIREFIGHTER) \$10.00 per month
3. FIRST RESPONDER (EMS) \$10.00 per month
4. HAZARDOUS MATERIALS Technician \$10.00 per month
5. Firefighter II (FIRST CLASS FIREFIGHTER) \$10.00 per month
6. Firefighter I (SECOND CLASS FIREFIGHTER) \$10.00 per month
7. PARAMEDIC \$10.00 per month
8. Fire Officer II \$10.00 per month
9. Fire Officer III \$10.00 per month
10. Confined Space Rescue Technician \$10.00 per month
11. Fire Inspector I / II \$10.00 per month
12. Fire Investigator I / II \$10.00 per month
13. Fire Instructor I \$10.00 per month
14. Fire Instructor II / III \$10.00 per month

No member shall receive compensation for more than four (4) certifications, therefore, allowing for a maximum of forty (\$40.00) dollars per month per member. All members shall maintain his/her certifications to the best of their ability.

Clothing Allowance: Clothing Allowances shall be set according to Indiana State Statute.

Work Hours: Firefighters shall work from 8 a.m. to 8:10 a.m. the following date for each 24 hour shift, unless directed by the Chief. 8 hour employees shall work from 8:-4:30 each day, unless directed by the Chief.

Acting Pay/Positions: When a firefighter is called upon to fulfill the duties out of his/her normal rank and/or classification, that firefighter may act at one (1) rank above the firefighters normal and regular classification, and for that service, will receive ten (\$10.00) per day for all days worked after the first ten (10) days worked in an acting capacity, excluding those days acting in place of a firefighter who is on terminal leave.

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BE IT FURTHER ORDAINED by the Hammond Common Council that this Ordinance shall be in full force and effect from and after its passage by the Common Council, signing by the President thereof and approval by the Mayor.

BE IT FURTHER ORDAINED by the Hammond Common Council that If any part, parts, section, sections, provision, clause or portions of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or constitutionality shall not affect the validity or constitutionality of this ordinance as a whole or of any other part, parts, section, sections, provision, clause or portion of this ordinance.

ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana, this 27th day of January, 2014.

President Michael Opinker /s/
Hammond Common Council

ATTEST:

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 29th day of January, 2014.

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

The foregoing Ordinance No. 9242 consisting of six (6) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana, this 31st day of January, 2014.

Thomas M. McDermott, Jr., Mayor /s/
City of Hammond, Indiana

PASSED by the Common Council on the 27th day of January, 2014 and approved by the Mayor on the 31st day of January, 2014.

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana